

Attorney Docket No.: VN-169RI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Reissue Application of: Rangan, et al.

Application No.: 09/173,582

Filed: October 15, 1998

For: DATA COMMUNICATION NETWORK
WITH TRANSFER PORT, CASCADE PORT
AND/OR FRAME SYNCHRONIZING
SIGNAL

)
) Examiner: Ton, D.
)
)
) Group Art Unit: 2661
)
)

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Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTN: Office of Petitions – E. Shirene Willis

OFFICE OF PETITIONS

I hereby certify that this document is being sent via facsimile to 703-872-9306 on the date indicated below.

Submission in Response to Letter Mailed June 10, 2004

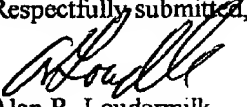
Sir:

In response to the Decision on Petition accompanying the Letter mailed June 10, 2004 (copies attached), and as discussed with the Office of Petitions, Applicant hereby submits a supplemental declaration signed by co-inventors Rangan and Edem. Applicant submits that this supplement declaration should satisfy the requirements set forth in the Decision on Petition, and Applicant requests that the Declaration be accepted and that the case proceed to allowance

No additional fee is believed due. Please charge any additional fees due, or credit any overpayment, to Deposit Account No. 50-0251. A petition for extension of time is attached.

In view of the long history of this matter, and the difficulty in tracking down inventors, etc., Applicant's attorney requests a telephone call to discuss any remaining matters at the first available opportunity. Applicant's attorney wishes to thank the Office of Petitions for its cooperation in connection with this matter.

Respectfully submitted,


Alan R. Loudermilk
Registration No. 32,788
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October 12, 2004
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OFFICE OF PETITIONS

In re Application of
Rangan, Worsley, Thaik & Edem
Application No.: 09/173,582
Filed: October 15, 1998
Attorney Docket No.: VN-169RI
For: DATA COMMUNICATION NETWORK
WITH TRANSFER PORT, CASCADE PORT
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LETTER

This letter is mailed in response to the Request for Copy of Paper and Change of Address, transmitted via facsimile on February 12, 2004.

Petitioners request a copy of the October 10, 2003 decision on a petition under 37 CFR 1.183 to waive 37 CFR 1.67, filed September 15, 2003 (certificate of mailing date September 8, 2003). Petitioners did not receive this decision because it was mailed to an incorrect address. Petitioners filed a change of address with the September 2003 petition. The change of address was properly entered into Office computer systems on October 8, 2003. Unfortunately, the decision was mailed to the former address. The Office apologizes for this error.

Accordingly, a new extendable two month period to respond to the enclosed decision begins to run from the mail date of this letter.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITION
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450
ATTN: E. Shirene Willis

By hand: Crystal Plaza 1 Lobby
2011 South Clark Place
Room 1B03
Arlington, VA 22202
ATTN: E. Shirene Willis


Application No. 09/173,582

Page 2

By FAX: (703) 872-9306
ATTN: Office of Petitions – E. Shirene Willis

Telephone inquiries should be directed to the undersigned at (703) 308-6712.

571-272-3230


E. Shirene Willis
Senior Petitions Attorney
Office of Petitions



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ALAN R LOUDERMILK
10950 N. ELANEY AVE.
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OCT 12 2004

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OCT 10 2003

In re Application of
Rangan, Worsley, Thaik & Edem
Application No.: 09/173,582
Filed: October 15, 1998
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OFFICE OF PETITIONS

ON PETITION

This is a decision on the reconsideration petition under 37 CFR 1.183 to waive 37 CFR 1.67, filed September 15, 2003 (certificate of mailing date September 8, 2003).

The petition under 37 CFR 1.183 to waive 37 CFR 1.67 is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. Any response should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.183 to waive 37 CFR 1.67" and must include an oath or declaration executed by the correct inventive entity. **Failure to respond will result in abandonment of the application.**

While petitioner has established that non-signing inventor Richard Thaik cannot be located after diligent efforts, petitioner has yet to submit an acceptable supplemental declaration.

The declaration contains noninitialed, nondated alterations to Inventor Rangan's and Inventor Edem's information. 37 CFR 1.52(c) states that "[a]ny interlineation, erasure, cancellation or other alteration of the application papers filed should be made on or before the signing of the accompanying oath or declaration pursuant to 1.63...." This includes the oath or declaration. The Office will not consider whether noninitialed and or nondated alterations were made before or after signing of the oath or declaration but will require a new oath or declaration. See MPEP 605.04(a).

Fortunately, the deficiencies or inaccuracies relate to signing inventors. Thus, pursuant to 37 CFR 1.67(a)(2), Inventor Rangan and Inventor Edem can correct their respective information on a supplemental declaration identifying the entire inventive entity but signed only by them.

Regarding finances, petitioner has paid two \$130 petition fees. Only one petition fee is required, as the instant petition is a reconsideration petition. Pursuant to petitioner's authorization, deposit account no. 50-0251 will be the \$130 petition fee submitted with the instant petition.

Further correspondence with respect to this matter should be addressed as follows:

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Application No. 09/173,582

Page 2

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Office of Petitions